

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

---

No. 12-2621

---

GABRIEL JOSEPH CARRERA,  
on behalf of himself and all others similarly situated

v.

BAYER CORPORATION;  
BAYER HEALTHCARE, LLC.,  
Appellants

\*(Amended Pursuant to the Clerk's Order of July 5, 2012)

---

On Appeal from the District Court  
for the District of New Jersey  
D.C. Civil No. 2-08-cv-04716  
(Honorable Jose L. Linares)

---

Argued Pursuant to Third Circuit LAR 34.1(a)  
April 16, 2013

Before: SCIRICA, SMITH and CHAGARES, *Circuit Judges*

---

**JUDGMENT**

---

This cause came to be heard on the record from the United States District Court for the District of New Jersey and was argued by counsel pursuant to Third Circuit LAR 34.1(a) on April 16, 2013. On consideration whereof, it is now hereby

ORDERED and ADJUDGED by this Court that the order of the District Court entered November 23, 2011, be, and the same is hereby VACATED and REMANDED. All of the above in accordance with the opinion of this Court.

ATTEST:

/s/ Marcia M. Waldron  
Clerk

DATED: August 21, 2013